

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
WICHITA FALLS DIVISION**

**IN RE:
JIMMY ALLEN SHAFER
TANGA KAY SHAFER**

**CASE NO: 08-70557
HEARING DATE: 11-18-2009
HEARING TIME: 11:00 A.M.**

**A/K/A:
D/B/A:**

**A/K/A 2:
D/B/A 2: WORLD VENTURE**

**NOTICE OF HEARING, PRE-HEARING CONFERENCE AND ATTACHED MODIFICATION OF PLAN AFTER
CONFIRMATION**

NOTICE OF HEARING

On 11-18-2009, which is at least twenty-five (25) days from the date of service hereof, at 11:00 a.m. a **HEARING** on the above and foregoing "Modification of Plan After Confirmation" will be held in

FOR LIVE COURT

**US COURTHOUSE ROOM 222
10TH & LAMAR STREETS
WICHITA FALLS, TEXAS 763011234**

FOR VIDEO COURT

**US COURTHOUSE ROOM 208
10TH & LAMAR STREETS
WICHITA FALLS, TEXAS 763011234**

Creditors are not required to attend unless they have objections to the Modification.

NOTICE OF PRE-HEARING CONFERENCE

A **PRE-HEARING CONFERENCE** will be held at the same location listed above at 8:30 a.m. Hearings on Motions to Modify Plans with objections not resolved at the **PRE-HEARING CONFERENCE** will be heard by the Court at the scheduled Hearing time.

NOTICE is hereby given that pursuant to 11 U.S.C. 1329 the attached "Modification of Plan" dated 10/21/2009, **will be** approved by the Court as the Debtor's Modified Chapter 13 Plan unless a party in interest files a written "Objection to the Modification" within twenty (20) days of service hereof, and the Debtor has made any subsequent payments required under the Modified Plan. An "**Objection to Modification**" should be filed with the Bankruptcy Court at the following address:

**CLERK OF THE BANKRUPTCY CT
1100 COMMERCE 1254
DALLAS, TEXAS 752420000**

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
WICHITA FALLS DIVISION**

IN RE:
JIMMY ALLEN SHAFER &
TANGA KAY SHAFER

*
* CHAPTER 13
* CASE NO: 08-70557-13

* HEARING DATE: 11/18/2009
* HEARING TIME: 11:00 AM

DEBTOR(S)

TRUSTEE'S MODIFICATION OF MODIFIED CHAPTER 13 PLAN AFTER CONFIRMATION

DATE: 10/21/2009

Pursuant to 11 U.S.C. 1329, the Debtor(s) (per the undersigned attorney) or the Standing Chapter 13 Trustee, requests the following Modification of Debtor(s) Confirmed Plan herein:

**I.
HISTORY OF THE CASE**

1. Date Case Filed: 12/23/2008
 2. Date of Section 341 Meeting: 1/22/2009
 3. First Payment Date: 1/22/2009
 4. Date of Confirmation: 2/23/2009
 5. Total Plan Term Prior to this Modification: 60
 6. Number of Months from First Payment Date through month prior to estimated month of Modification Approval: 10
 7. Remaining Plan Term (subtract item 6 from the lessor of item 5): 50
 8. Amount of Arrears through the month prior to the date the Modification is filed: \$0.00
 9. Date Plan Payments are to Resume: 11/22/2009 (This must be the same month that the Modification is set for approval by the Court)
 10. Total Payments **Paid** to the Trustee through the month prior to the date the Modification is filed with the clerk: \$10,485.00
 11. Total Payments **Due** to the Trustee through the month prior to the date the Modification is filed with the clerk: \$10,485.00
 12. Total Payments **Due** to the Trustee from the month the Modification is filed to the month the Modification is set for approval: \$1,165.00
 13. List Dates of any Prior Orders Modifying, Interlocutory Orders, or Special Supervision Orders:
-

II.

MODIFICATION REQUESTED

(check 1 or more of the following 4 choices)

- _____ Plan payments remain at \$_____ per month.
- X **INCREASE** monthly payment from \$1,165.00 per month to \$1,500.00 per month (must coincide with resume date shown in item 9 above)
- _____ Extend months from _____ months to _____ months (Not to Exceed 60 Calendar Months from Month of First Payment Date)
- _____ Add balloon payment of \$_____ in _____ month (indicate how the balloon payment will be made)_____
- _____

III.

RESUMPTION OF PAYMENTS TO THE TRUSTEE

(all information below must be complete)

Payments can only change as of the month the modification is approved. Payments to the Trustee in the amount of \$1,500.00 will resume on or before November 22,2009 (item 9 above) for 50 months (item 7 above) remaining in the Modified Plan as of the date the modification is approved.

Base amount remains the same in the amount of \$_____.

Base amount will change from \$69,900.00 to \$86,650.00

If the base amount has changed complete the following:

Total Paid in as of the month prior to Modification Approval:	\$11,650.00
(+) Plus Total Payments to be made through the Remainder of the plan (making up any arrears in item 8 above):	\$75,000.00
(=)New Base Amount	\$86,650.00

IV.
SECURED, PRIORITY OR SPECIAL CLASS TREATMENT

ADD/DELETE/SURRENDER/CHANGE the following Secured, Priority or Special Class Unsecured Creditor(s):

CODE; A = ADD; D = DELETE; S = SURRENDER; CF = CHANGE FROM; CT =CHANGE TO

Code	Name	Class	Amount	Collateral	Value	Int.	Monthly Payment Surrender Direct
CF	IRS	Priority	\$3,567.18				\$22.21 per mo
CT	IRS	Priority	\$36,229.18				\$664.41 per mo

or

___ Check here if no changes are to be made to creditors

Note: Changes to any creditors above shall not be effective until the Modification is Approved.

V.
ATTORNEY'S FEES

No additional attorney fee has been added for this Modification of Plan after Confirmation.

VI.
REASON FOR MODIFICATION

This Modification is requested for the following reason(s):

To pay IRS amended priority claim of \$36,229.18 filed 8/3/2009

Respectfully submitted,

/s/ Walter O'Cheskey
Walter O'Cheskey
Chapter 13 Trustee

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NOTHERN DIVISION OF TEXAS
WICHITA FALLS DIVISION

IN RE:

JIMMY ALLEN SHAFER & TANGA KAY SHAFER

CASE NO: 08-70557-HDH-13

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the attached document was sent via First Class Mail to the below listed parties at the addresses supplied as follows.

Name & Address	Name & Address
JIMMY ALLEN SHAFER 7622 TARRYTOWN AMARILLO,TX 79121	TANGA KAY SHAFER -
AMARILLO NATIONAL BANK ATTN: SPECIAL ASSETS DEPT PO BOX ONE AMARILLO,TX 79105-0000	INTERNAL REVENUE SERVICE SPECIAL PROCEDURES 1100 COMMERCE ST MC 5027DAL DALLAS,TX 75242-
INTERNAL REVENUE SERVICE PO BOX 21125 PHILADELPHIA,PA 19114-	INTERNAL REVENUE SERVICE PO BOX 21126 PHILADELPHIA,PA 19114-
BECKET & LEE LLP ATTORNEYS AT LAW 16 GENERAL WARREN, PO BOX 3001 MALVERN,PA 19355-0000	WALTER O'CHESKEY TRUSTEE 6308 IOLA AVENUE LUBBOCK,TX 79424-0000
OFFICE OF THE CH13 TRUSTEE 6308 IOLA AVENUE LUBBOCK,TX 79424-	MONTE J WHITE ATTORNEY AT LAW 1106 BROOK AVE HAMILTON PLACE WICHITA FALLS,TX 76301-0000
US ATTORNEY GENERAL 10TH ST & CONSTITUTION AVE WASHINGTON,DC 20530-0000	UNITED STATES ATTORNEY 801 CHERRY STREET UNIT 4 FT WORTH,TX 76102-6882
ECAST SETTLEMENT CORPORATION PO BOX 35480 NEWARK,NJ 07193-5480	ECMC LOCKBOX # 8682 PO BOX 75848 ST PAUL,MN 55175-0848
WILLIAM T NEARY UNITED STATES TRUSTEE 1100 COMMERCE STREET RM 976 DALLAS,TX 75242-0000	US ATTORNEY ATTORNEY IN CHARGE 1100 COMMERCE 3RD FLOOR DALLAS,TX 75242-1699
HIGH PLAINS RADIOLOGY PO BOX 3780 AMARILLO,TX 79116-3780	TOYOTA MOTOR CREDIT CORPORATION 5005 NORTH RIVER BLVD NE CEDAR RAPIDS,IA 52411-6634
AMERICAN EXPRESS C/O BECKETT AND LEE LLP PO BOX 3001 MALVERN,PA 19355-0701	ECMC 7325 BEAUFONT SPRINGS SUITE 200 RICHMOND,VA 23225-
TEXAS GUARANTEED STUDENT LOAN CORP TG-MAIL CENTER ATTN CLAIMS CLMS 1-1(1E3) 3500 WADLEY PLACE STE 303 AUSTIN,TX 78728-	FIRST EQUITY PO BOX 84075 COLUMBUS,GA 31908-4074

CERTIFICATE OF SERVICE

PORTFOLIO RECOVERY ASSOCIATES PO BOX 41067 NORFOLK,VA 23541-	RANDALL COUNTY APPRAISAL DISTRICT PO BOX 7190 AMARILLO, TX 79114-7190
CAPITAL ONE C/O TSYS DEBT MANAGEMENT PO BOX 5155 NORCROSS,GA 30091-5155	FIRST EQUITY CARD C/O CREDITORS BANKRUPTCY SERVICE PO BOX 740933 DALLAS, TX 75374-
DISCOVER FINANCIAL SERVICES PO BOX 3025 NEW ALBANY, OH 43054-	WELLS FARGO FINANCIAL BANK PO BOX 14487 ATTN PAYMENT PROCESSING DES MOINES, IA 50306-
BANK OF AMERICA 4161 PIEDMONT PARKWAY NC4-105-03-14 GREENSBORO, NC 27410-	TOYOTA MOTOR CREDIT CORPORATION PO BOX 8026 CEDAR RAPIDS, IA 52408-
PORTFOLIO RECOVERY ASSOCIATES LLC PO BOX 12914 NORFOLK, VA 23541-	BANK OF AMERICA PO BOX 15026 WILMINGTON, DE 19850-
DILLARDS C/O GE MONEY BANK PO BOX 103104 ROSWELL, GA 30076-	ROUNDUP FUNDING LLC PO BOX 91121 MS 550 SEATTLE, WA 98111-9221
CHASE BANKRUPTCY DEPARTMENT PO BOX 15298 WILMINGTON, DE 19850-	CITIMORTGAGE INC PO BOX 6941 THE LAKES, NV 88901-
CITI MORTGAGE INC PO BOX 79022 MS 322 ST LOUIS, MO 63179-	CITI ATTN CENTRALIZED BANKRUPTCY PO BOX 20507 KANSAS CITY, MO 64195-
AMARILLO NATIONAL BANK PO BOX 949 BORGER, TX 79008-	BANK OF AMERICA PO BOX 26012 GREENSBORO, NC 27420-
WELLS FARGO FINANCIAL BANK PO BOX 182273 COLUMBUS, OH 43218-	UNIVERSAL CITIBANK ATTN: CENTRALIZED BANKRUPTCY PO BOX 20507 KANSAS CITY, MO 64195-
PANHANDLE PLAINS STUDENT SERVICES CLAIMS DEPT PO BOX 839 CANYON, TX 79015-	WELLS FARGO BANK NA 4137 121ST STREET URBANDALE, IA 50323-
PRA RECEIVABLES MANAGEMENT PORTFOLIO RECOVERY ASSOC PO BOX 12914 NORFOLK, VA 23541-	PRA RECEIVABLES MANAGEMENT PORTFOLIO REC ASSOC PO BOX 41067 NORFOLK, VA 23541-
ECMC PO BOX 75906 ST PAUL, MN 55175-	

Dated: 10/21/2009

/s/ Walter O'Cheskey
Chapter 13 Trustee
By: Kathleen